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A F F I D A V I T

I, Heith R. Janke, Special Agent (SA) of the Federal Bureau of Investigation (FBI),
being duly sworn, hereby depose and say:

1. I am currently assigned to the Kansas City Division of the FBI. I have been a Special Agent with the FBI for almost one year.

2. This affidavit is in support of a complaint for Justin Buchanan, white male, date of birth XXXXXXXX, Social Security Account Number , XXXXXXXX, for a violation of Title 18, U.S. Code, Section 1513(b).

3. The Federal Bureau of Investigation and the Kansas City Missouri Police Department jointly conducted an investigation into the March 9th, 2005, death of William McCay, who was shot to death near the intersection of 9th Street and Brighton Avenue, Kansas City, Missouri.

4. On September 29th, 2005, a Federal Grand Jury returned a nine count indictment charging Gary Eye and Steven Sandstrom with a variety of federal offenses in connection with McCay's death.

5. During the course of the McCay investigation, your affiant reviewed numerous recorded phone calls from the Jackson County Detention Facility. On those recorded phone calls, Steven Sandstrom and others make threatening comments towards several individuals, including XXXXXXXXXXXX, based upon their stated belief that those individuals might be cooperating by providing information to federal law enforcement officials in the McCay investigation.

6. On October 13th, 2005, this Court ordered the detention of Steven Sandstrom pending the resolution of those charges. The United States Marshals Office maintained custody of Mr. Sandstrom and he was transferred to the St. Clair County Jail, St. Clair, Missouri.

7. On November 15th, 2005, your affiant traveled to the St. Clair County Jail, St. Clair, Missouri, to review telephone calls and correspondence received by Steven Sandstrom while in that facility. Through a review of these materials, your affiant discovered a letter addressed to Steven Sandstrom, dated November 10, 2005, and bearing a return address on the envelope of “Justin Buchanan XXXXXXXXX (1-A-107)

Crossroads Correctional Center, 1115 E. Pence Rd., Cameron, MO 64429." This letter is handwritten and addressed to "LiL 'SS'" and bears the salutation of "L&R your Big Cousin Jay B."

8. Portions of that letter are set forth as follows:

- a. "Fuck LiL XXXXXXXX. I'll do my best to get at him, I got my legal 16 warrants back today they denied me w/o a lawyer For time survied (sic) so I'll turn myself in 11/21st/05 & try to get in where he's at & KNOCK his Block off Real decent, fuck that Rat feel me?"
- b. "XXXXXXXXXX a mark, foreal, if I was you I'd not write dude period! Fuck All those Rats period! On my stomach it says NO LUV 4 RATS"
- c. "Lay Down & Don't write me talking NE Stupid Shit feel me? You trippin foreal in this last letter True Killers don't Talk, wise up LiL Nigga!"

9. Your affiant was aware that Justin Buchanan is an associate of Steven Sandstrom's and an inmate of the Missouri Department of Corrections being housed at the Crossroads Correctional Center, Cameron, Missouri.

10. Based upon all of these facts, your affiant and SA Arch Gothard responded to the Crossroads Correctional Center on November 16th, 2005. While at that facility, your affiant reviewed a number of pieces of correspondence associated with Justin Buchanan. Several of the letters reviewed purported to have been authored by Steven Sandstrom and were addressed to Justin Buchanan requesting Mr. Buchanan's assistance in harming individuals, including XXXXXXXXXX, believed to be cooperating witnesses in the government's case against Steven Sandstrom.

11. On November 17, 2005, after executing a written waiver of his Miranda rights, Justin Buchanan was interviewed regarding these circumstances. During the course of that interview, Buchanan acknowledged that he wrote the letter recovered from the St. Clair County Jail and that the "LiL XXXXXXXX" referred to in that letter was XXXXXXXXXXXXX. Buchanan also indicated that he had in fact intended to surrender himself on his warrants so that he might be able to get access to XXXXXX. Buchanan further indicated that he had a history of bad blood with XXXXXXX and that fact, along with the fact that XXXXXXX had cooperated against Sandstrom were the motivating factors in his desire to physically harm XXXXXXX. During the interview, Buchanan explained that he was just going to use his hands against XXXXXXX and was not going to kill him. Buchanan expressed a belief that this would not amount to a federal offense.

When your affiant and SA Gothard informed Buchanan conduct of that nature could be a federal offense, Buchanan stated that he would no longer attempt to follow through with getting access to XXXXXXXX. He further informed your affiant that he would not injure or harm any witness associated with this case and stated that if he truly intended to do so he would not have elected to speak with the FBI.

The foregoing is true and correct to the best of my information and belief.

Special Agent Heith R. Janke
Federal Bureau of Investigation

Subscribed and sworn to before me this 18th day of November, 2005.

ROBERT E. LARSEN
United States Magistrate Judge